REMARKS

The present amendment is submitted in response to the Office Action dated August 29, 2003, which set a three-month period for response, making this amendment due by November 29, 2003, a Saturday, or by Monday, December 1, 2003.

Claims 12-17 are pending in this application.

In the Office Action, claims 12-17 were rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,726,739 to Hayata and further in view of U.S. Patent No. 4,095,881 to Maddox.

In this amendment, claim 12 has been amended by deleting the wording "for wavelength-dependent light outcoupling", as this is not a quality of the condenser of the present invention. Claims 17-17 have been amended to define a method for adjusting a lamp of an exposure apparatus, rather than an exposure method.

The primary reference to Hayata discloses an exposure apparatus comprising a half mirror 9 and a light measuring device 10 for adjusting a lamp 1 by actuators. It also comprises a cold mirror 3 for separating IR radiation from UV radiation. In contrast to the present invention, the half mirror 9 and the light mirroring device 10 of the Hayata patent is located in the path of the UV spectral portion, while the IR spectral portion is not used at al.

More specifically, the IR portion is used neither for reflecting it back into the lamp nor for adjusting the lamp. On the other hand, the Hayata apparatus

does not image the lamp on a viewing screen for adjustment of the lamp. The light measuring device 10 is not a viewing screen and the optical integrator 6 makes it impossible to image the lamp.

The secondary reference to Maddox, cited in combination with Hayata, discloses an illumination system comprising a lamp 10 and a cold mirror 21 in combination with a mirror 22/23 (see Figures 6, 7, and 9) for separating the IR portion from the UV portion and reflecting the IR portion back into the lamp 10. The Maddox patent does not disclose separation of a part of the IR portion and reflecting it to a screen for adjustment of the lamp.

The cited combination of Hayata and Maddox, therefore, does not make obvious the present invention, which relates to using a part of the IR portion for adjustment of the lamp. Hayata does not use the IR portion for adjustment, and Maddox also fails to disclose or suggested any such adjustment. Both references fail to teach or suggest imaging the lamp on a viewing screen for adjustment of the lamp.

Therefore, claims 12-15 and 17 cannot be obvious under Section 103. To imbue one of ordinary skill in the art with knowledge of the invention, when no prior art reference or references convey or suggest that knowledge, constitutes impermissible hindsight. ***W.L. Gore & Assocs., Inc. v. Garlock, Inc.***, 220 USPQ 303, 312-13 (Fed. Cir. 1983), cert defined, 469 U.S. 851 (1984). Since neither Hayata nor Maddox discloses or suggests using an IR portion for adjustment of a lamp on a viewing screen, the combination of these references

does not render obvious the subject matter of th present invention as defined in the pending claims.

The present invention offers an advantage over Hayata, in that the full intensity of the UV portion is still available for exposure, while Hayata teaches, for example, reflecting a part of the UV portion out of the beam for adjustment purposes.

For the reasons set forth above, the Applicants respectfully submit that claims 12-15 and 17 are patentable over the cited reference combination. The Applicants further request withdrawal of the rejection under 35 U.S.C. 103 and reconsideration of the claims as herein amended.

In light of the foregoing arguments in support of patentability, the Applicants respectfully submit that this application stands in condition for allowance. Action to this end is courteously solicited.

Should the Examiner have any further comments or suggestions, the undersigned would very much welcome a telephone call in order to discuss appropriate claim language that will place the application into condition for allowance.

Respectfully submitted,

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